



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/317,434	05/24/99	KOBAYASHI	S 500.37238X00

020457 TM02/0409
ANTONELLI TERRY STOUT AND KRAUS
SUITE 1800
1300 NORTH SEVENTEENTH STREET
ARLINGTON VA 22209

EXAMINER

LE, D

ART UNIT	PAPER NUMBER
----------	--------------

2177

DATE MAILED: 04/09/01 3

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/317,434

Applicant(s)

KOBAYASHI ET AL.

Examiner

Debbie M Le

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.

- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Nakano et al (US Patent 5,983,213).

As per claim 1, Nakano discloses a database processing system comprising:
“a first process of enabling a database server operating...” (abstract, fig. 3b, col. 9, lines 27-64);
“a second process of enabling said user application to refer...” (fig. 10, col. 12-13, lines 14-45).

As per claim 2, Nakano teaches:

“a third process of enabling said database server...” (fig. 4, col. 9, lines 65-67, col. 10, lines 1-30);

"a fourth process of notifying said user application of said storage area...a fifth process of enabling said user application to refer to the area on..." (fig. 7, 9a-9b, 10, col. 11-12, lines 5-62).

As per claim 3, Nakano teaches:

"a sixth process of enabling said user application to request an execution...a seventh process of enabling said database server to execute... a eighth process of enabling said function to create a storage area... a ninth process of enabling said function to output said data... a tenth process of enabling said function to notify..." (fig. 2, 3b, col. 8-9, lines 2-46).

As per claim 4-5, Nakano teaches:

"a process of enabling plural processes, which has a parallel arrangement...a process of enabling said user application to refer to said storage device..." (fig. 1-2, col. 4, lines 16-21, col. 7-8, lines 61-29).

Claims 6-8 are rejected by the same rationale as stated in claims 1-2 arguments.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ng et al (US Patent 5,742,810): system, method and computer program product for passing host variables to a database management system.

Fujii et al, (US Patent 5,873,086): communications control apparatus and client/server computer system.

Art Unit: 2177

Primsch, (US Patent 6,192,370): method and system for rapid memory-resident processing of transactional data.


Tan et al, (US Patent 6,078,920) : computer program product and apparatus for retrieval of OLE enabled BLOB from RDBMS server.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debbie M Le whose telephone number is (703) 308-6409. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-5357 for regular communications and (703) 308-5357 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Debbie Le
March 27, 2001


JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100